



INTERIOR BOARD OF INDIAN APPEALS

Alvin L. Reevis v. Billings Area Director, Bureau of Indian Affairs

33 IBIA 101 (01/11/1999)

Reconsideration denied:
33 IBIA 194



United States Department of the Interior

OFFICE OF HEARINGS AND APPEALS
INTERIOR BOARD OF INDIAN APPEALS
4015 WILSON BOULEVARD
ARLINGTON, VA 22203

ALVIN L. REEVIS,
Appellant

v.

BILLINGS AREA DIRECTOR,
BUREAU OF INDIAN AFFAIRS,
Appellee

: Order Docketing and Dismissing Appeal
:
:
:
: Docket No. IBIA 99-29-A
:
:
: January 11, 1999

On December 7, 1998, the Board of Indian Appeals received a notice of appeal from Alvin L. Reeves, pro se. Appellant sought review of an October 1, 1998, decision of the Billings Area Director, Bureau of Indian Affairs (BIA), concerning a September 22, 1998, Secretarial election for the Blackfeet Tribe. Appellant was informed of a right to appeal to the Board in a November 2, 1998, letter from the Tribal Relations Officer in BIA's Central Office.

Appellant's notice of appeal did not show that it had been served on the Tribe. Accordingly, by order dated December 7, 1998, the Board directed him, on or before December 24, 1998, to serve his notice of appeal on the Tribe and to file a certificate of service with the Board showing that he had done so. The Board informed Appellant that failure to comply with its order would result in dismissal of his appeal for failure to prosecute.

On December 30, 1998, the Board received a telefax from Appellant, purporting to be his response to the Board's December 7, 1998, order.

Appellant was not given permission to telefax his response to the Board. Even if he had been given such permission, his response would have been untimely.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, this appeal is docketed but is dismissed for failure to prosecute.

//original signed

Anita Vogt
Administrative Judge

//original signed

Kathryn A. Lynn
Chief Administrative Judge